

### REMARKS

Reconsideration and allowance of the subject application in view the foregoing amendments and the following remarks are respectfully requested.

Claims 1-13, 18-24 and 26-30 remain pending in the application.

Applicant appreciatively notes that claims 9-13, 18, 20-24 and 27-30 are allowable.

Claim 1 is rejected under 35 USC 112, second paragraph, as being indefinite. In response, claim 1 has been amended and this rejection should be withdrawn.

Claims 1-3, 5-8 and 26 are rejected under 35 USC 103(a) as being unpatentable over Xu et al. (6,401,027) in view of Holland (6,321,091). Applicant respectfully traverses this rejection.

In the present application as recited in claim 1, vehicle locations are transmitted at different frequencies and that some locations in which the vehicle location would normally be transmitted, the transmission of the vehicle location is suppressed. In the previous Office Action, the Examiner only referred to transmission frequencies, not to suppression of communication at a third location.

In Xu et al. vehicle location is transmitted periodically. Xu et al. states:

"From time to time, the mobile radio sub-system 24 transmits vehicle position data processed by the locator 32 to the communications station 50 which forwards road traffic data reported from all vehicles 20 travelling the roadway system 10 to the traffic service center 60 for further processing" (col. 7, lines 37-42).

Nothing in Xu et al. suggests suppression of communication at a third location.

As discussed in the present application on page 5:

"Depending upon the application, it may be desirable for the triggering device to transmit data when a street address changes or when the vehicle arrives at a particular street address shown on the display 24 in Figure 2. One aspect of the invention is suppressing communication of the vehicle location when the road that the vehicle is traveling on will not provide significant information. For example, when the vehicle is travelling along a freeway and turns on a ramp to exit to a street, communication of data will be suppressed while the vehicle is traveling along the ramp because communicating vehicle location data while travelling along the ramp is unlikely provide useful information."

By contrast, in Holland, "The rate at which the locator device periodically transmits its positional data varies according to the rate locator device changes its physical position." (col. 2, lines 33-35). Nothing in Holland suggests suppressing communication. The fact that the rate changes dependent upon the rate of vehicle movement is significantly different than suppressing communication because the transmission of the third location should be kept low by suppressing the communication when no relevant information can be gathered. For least these reasons, independent claim 1 should be allowable over this combination of references.

All objections and rejections having been addressed, it is respectfully submitted that the present application should be in condition for allowance and a Notice to that effect is earnestly solicited.

To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 07-1337 and please credit any excess fees to such deposit account.

Respectfully submitted,

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